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Attorneys for Defendant
Google Inc.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

THE AUTHORS GUILD, INC., Associational
Plaintiff, BETTY MILES, JOSEPH
GOULDEN, and JIM BOUTON, on behalf of
themselves and all other similarly situated,

Plaintiffs,

v.

GOOGLE INC.,

Defendant.

Civil Action No. 05 CV 8136 (DC)
ECF Case

**DECLARATION OF JOSEPH C. GRATZ IN SUPPORT OF DEFENDANT GOOGLE
INC.'S MOTION FOR SUMMARY JUDGMENT OR IN THE ALTERNATIVE
SUMMARY ADJUDICATION**

I, Joseph C. Gratz, hereby declare under penalty of perjury:

1. I am an attorney duly admitted to practice law in the State of California and in this Court. I am a member of Durie Tangri LLP, attorneys for Defendant Google Inc. in the above-captioned civil action. I submit this declaration in support of Defendant's Motion for Summary Judgment. I make this declaration based on personal knowledge of the facts and circumstances set forth herein.

2. Attached as Exhibit 1 is a true and correct copy of excerpted pages of the transcript of the deposition of Paul N. Courant taken herein on April 23, 2012.

3. Attached as Exhibit 2 is a true and correct copy of excerpted pages of the transcript of the deposition of Paul Aiken taken herein on April 19, 2012.

4. Attached as Exhibit 3 is a true and correct copy of excerpted pages of Plaintiffs' Responses and Objections to Defendant Google Inc.'s First Set of Interrogatories to Plaintiffs The Authors Guild, Inc., Jim Bouton, Joseph Goulden and Betty Miles herein, served on April 27, 2012.

5. Attached as Exhibit 4 is a true and correct copy of excerpted pages of the transcript of the deposition of Judith A. Chevalier taken herein on June 8, 2012.

6. Attached hereto as Exhibit 5 is a true and correct copy of a February 13, 2012, letter written by Professor Pamela Samuelson, UC Berkeley School of Law, to The Honorable Denny Chin, pertaining to this action.

7. Attached as Exhibit 6 is a true and correct copy of excerpted pages of the transcript of the deposition of Eric Zohn taken herein on April 13, 2012.

8. Attached as Exhibit 7 is a true and correct copy of Exhibit 2 to the deposition of Eric Zohn taken herein on April 13, 2012.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 27th day of July, 2012, at San Francisco, California.

/s/ Joseph C. Gratz
Joseph C. Gratz